

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**EDWARD J. O'NEILL,**

**Defendant.**

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**CASE NO. 8:07CR288**

**MEMORANDUM  
AND ORDER**

This matter is before the Court on the Report and Recommendation (Filing Nos. 22 and 25) issued by Magistrate Judge F.A. Gossett recommending denial of the Defendant's motion to suppress (Filing No. 15). No objections have been filed to the Report and Recommendation as allowed by 28 U.S.C. § 636(b)(1)(C) and NECrimR 57.3(a).

The Defendant, Edward J. O'Neill, seeks an order suppressing evidence seized following a traffic stop on August 11, 2007, and a subsequent search conducted pursuant to a warrant issued upon an affidavit and application dated August 14, 2007. Judge Gossett determined that the police officer had probable cause to make the traffic stop because the license plate on the vehicle O'Neill was driving was not registered to the vehicle, in violation of Neb. Rev. Stat. § 60-322. Judge Gossett also concluded that the search warrant that was issued based on the August 14, 2007, affidavit and application was valid.

Notwithstanding the absence of objections, pursuant to 28 U.S.C. § 636(b)(1)(C) and NECrimR 57.3, the Court has conducted a de novo review of the record. The Court has considered the parties' briefs (Filing Nos. 16, and 18) and the transcript (Filing No. 25). The Court has also reviewed the evidence. Because Judge Gossett fully, carefully, and

correctly applied the law to the facts, the Court adopts the Report and Recommendation in its entirety.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation (Filing Nos. 22, 25) is adopted in its entirety; and
2. The Defendant's motion to suppress (Filing No. 15) is denied.

DATED this 28<sup>th</sup> day of December, 2007.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge